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XuFan Tseng

September 11, 2008

Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 10/706,888  
Applicants : Prabodh P. Parekh *et al.*  
Filed : November 13, 2003  
Title : Synergistically-effective composition of zinc ricinoleate and  
one or more substituted monocyclic organic compounds and  
use thereof for preventing and/or suppressing malodors  
Art Unit : 1614  
Confirmation No: : 7765  
Examiner : Frederick F. Krass  
Attorney Docket No. : IFF-71

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**DECLARATION OF RICHARD BODEN UNDER 37 CFR § 1.131**

Dear Sir/Madam:

I, RICHARD BODEN, Ph.D., state and declare as follows:

I am an inventor in the above-identified patent application.

I am currently employed by INTERNATIONAL FLAVORS & FRAGRANCES Inc., the assignee of the above-identified patent application as Research Fellow in the Ingredient Research and Development Department of International Flavors & Fragrances Research and Development located at Union Beach, New Jersey, and I have held that position for a period since May 1, 2004. Prior to holding that position, from June 1999, I held the position of Technical Perfume Manager Department of International Flavors & Fragrances Inc. Research and Development.

I have a Ph.D. Degree in Organic Synthesis which I received in 1979 from University of Rochester.

I, together with the co-inventors, experimented and developed a composition comprising (i) a material selected from the group consisting of 1-cyclohexylethan-1-yl butyrate, 1-cyclohexylethan-1-yl acetate, 1-cyclohexylethan-1-ol, and 1-(4'-methylethyl)cyclohexylethan-1-yl propionate, and (ii) zinc ricinoleate prior to March 4, 2003.

The documents attached as Exhibits A, B, and C are true copies of notebook pages from Alison Betz's notebook. All of the work reported on these notebook pages was either directly performed by one or more co-inventors or was carried out under the direction and control of one or more co-inventors.

THAT, Exhibit A is a true copy of Alison Betz's notebook page dated October 11, 2001.

THAT, Exhibit B is a true copy of Alison Betz's notebook page dated November 2, 2001.

THAT, Exhibit C is a true copy of Alison Betz's notebook page dated December 10, 2001.

In Exhibit A, zinc ricinoleate ("Tegosorb Py", *See*, Exhibit A, line 6) was shown to improve the odor profiles of the oil bases including CaMont-535 and Wisk HE HH 010277B (*See*, Exhibit A, lines 1-6).

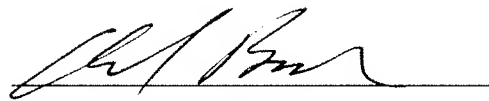
In Exhibit B, a composition containing Veilex oils (a mixture of "31701920" and "31701921", *See*, Exhibit B, lines 1-8) and zinc ricinoleate was formulated (*See*, Exhibit B, lines 10-12), wherein Veilex oil "31701920" contained the compounds of 1-cyclohexylethan-1-yl butyrate and 1-cyclohexylethan-1-yl acetate, and Veilex oil "31701921" contained 1-cyclohexylethan-1-ol and 1-(4'-methylethyl)cyclohexylethan-1-yl propionate.

Further, in Exhibit C, compositions containing (i) zinc ricinoleate ("2001-4-37E", "2001-4-47F", and "2001-4-47G"); (ii) zinc ricinoleate and Veilex oils as identified in Exhibit B ("2001-4-48A" and "2001-4-48B"); and (iii) Veilex oils ("2001-4-51") were formulated and evaluated (*See*, Exhibit C).

Thus, it is believed the attached Exhibits demonstrate the conception and reduction to practice of the claimed invention prior to March 4, 2003, the filing date of Triplett.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Sept 9, 2008  
Date

  
Richard Boden, Ph.D.

## **Exhibit A**

WORK done by KRIS Colt Tegosorb Py at 5% in CaMont-535 (NO BHT) showed very good results when incorporated @ 0.3% in Wisk HE HH 010277B. After 24 hours ~~un~~ uncovered in the Fadometer the odor was good.  
Tegosorb Py = ZINC RICINOLEATE

Three additional zinc salts will be tried at 5.0% in the oil

	5% in Oil	5% in DL H <sub>2</sub> O
ZnSO <sub>4</sub>	NON-Sol	OK
ZnCl <sub>2</sub>	NON-Sol	SL HAZY
Zn Acetate (C <sub>4</sub> H <sub>6</sub> O <sub>4</sub> Zn)	NON-SO	OK

The salts in the water solution are added at .3% prior the oil @ .3% into the base. This yields 0.0 of each salt / sample. Two 1/2 oz jars w/ 15g each are prepared. One held at RT the other placed in the Fadometer + evaluated after 6, 12, and 24 hours by W Fernandez.

glade aerosol 9 WK evaluation of IB mods

FIRE RETARDING

FP's

Demo pH meter

put out project sense sachets for eval

Continued on Page

Read and Understood By

Alison Beth  
Signed

11-11-01  
Date

Signed

Date

## **Exhibit B**

using vials containing CB oils a combination  
of oils w/ and w/o Tego SORB-PY887Q

31701920 CB 8449 CB base 615

31701921 CB 8450 CB base 615 A

~~42 B~~ <sup>42 A</sup> The above oils are mixed 50:50 and added  
to the WISK HE base @ 0.10%.

42 B The above blend of oils + Tego SORB-PY887Q  
vial oils + Tego  
0.1 0.03 = ~~X~~ 0.13%

added to WISK HE base.

10g samples placed in Tade uncovered.  
~~comp~~ Control samples held at RT uncovered.

FPS

Continued on Page

Read and Understood By

U. B. H.

Signed

11-2-01

Date

Signed

Exhibit B

Date



## **Exhibit C**

**UNILEVER WISK HE**  
**SAR U7233**  
**ODOR EVALUATION OF FADEOMETER SAMPLES**

**TOTAL HOURS OF EXPOSURE**

FORMULA #S	SIX HOURS		TWELVE HOURS		TWENTY FOUR HOURS		THIRTY SIX HOURS		RT
	RT	FADE	RT	FADE	RT	FADE	RT	FADE	
UNPERFUMED HH010426	X	CHANGE FATTY	FATTY	FATTY	FATTY	FATTY	FATTY	FATTY	FATTY
CA MONT 535A@0.30%	X	CHANGE FATTY	X FATTY X CHANGE BETTER THAN BASE		X SL.FATTY X		X SL FATTY X		FATTY
2001-4-37E @0.30%	X	SLIGHT CHANGE	X SL FATTY		SL FATTY FATTY		SL FATTY FATTY		FATTY
2001-4-47F @0.30%	X	CHANGE FATTY	X CHANGE FATTY		FATTY FATTY		FATTY FATTY		FATTY
2001-4-47G @0.30%	X	CHANGE SWEET YEASTY	X CHANGE SWEET YEASTY		X NOT FATTY X SL. YEASTY		BEST AT THIS POINT		SECC AT T
2001-4-48A @0.30%	X	CHANGE SWEET YEASTY	X OK		X SL SWEET X BEST YEASTY		SECOND BEST AT THIS POINT		BES
2001-4-48B @0.30%	X	SLIGHT BUTTERY	X FATTY		X FATTY		FATTY FATTY		FATTY
2001-4-51 @0.30%	X	FATTY ODOR	X FATTY		FATTY FATTY		FATTY FATTY		FATTY

1/29/01 Six hour comments WXF. 2001-4-37E is the best at this time. All others are about the same. Noted that 47F a ext in preference .

2/3/01 Twelve hour comments WXF. 2001-4-47F and 2001-4-48A are the best smelling samples. All fragranced sam etter than the unperfumed base.

2/4/01 Twenty four hour comments WXF. 2001-4-48A best smelling of all, 2001-4-47G second best.

2/10/01 forty eight hour comments WXF. All samples are fatty but better than the unperfumed. 2001-4-48A is best, 2 second best.

**CODE FOR FORMULAS ON PREVIOUS PAGE**

The formulas use the current oil CA-MONT -535-A ( with BHT)

The additives in the oil formulas are as follows

The finished oils are use at 0.30% in Unilever base HH010426

Formula # Additives

2001-4-37E 50:50 TEGO 88TQ : VARONIC K205 @ 10.0%IN OIL

2001-4-47F TEGOSORB 50 @ 5.0% IN OIL

2001-4-47G TEGOSORB 50 @ 10.0% IN OIL

2001-4-48A TEGOSORB 50 @4.0% + THE CB ACCORDS 31701920, 31701921 EACH @ 0.50% IN

2001-4-48B " @2.5%+ " " " " " " " " @1.25% "

2001-4-51 CB ACCORDS 31701920, 31701921 EACH @0.50% IN OIL

*★ 12-11-01  
full stability  
Requested by WXF*

Signed

*Alison Belsky*

Date

*12-11-01*

Signed

Date

**Exhibit C**